AVERP3187WOUS PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael E. Hannington : Group No.: 1794

Serial No.: 10/596.659 : Examiner: Patricia L. Nordmeyer

Filed: June 20, 2006 : Confirmation No.: 8910

For: ADHESIVE ARTICLES WITH IMPROVED AIR EGRESS AND METHODS OF

MAKING THE SAME

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed September 19, 2008 finally rejecting claims 1-21 and 55-57

## 1 STATUS OF APPLICANT

This application is on behalf of

[X] other than a small entity

[] small entity

## CERTIFICATE OF MAILING, FACSIMILE OR ELECTRONIC TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Commissioner for Patents address below.

\_X\_\_being transmitted via the USPTO Electronic Filing System.

/Armand P. Boisselle/ Armand P. Boisselle October 3, 2008

| 2.  | FEE FOR FILING NOTICE OF APPEAL  |       |                                   |  |               |  |  |
|---|--|-------|-----------------------------------|--|---------------|--|--|
|   | Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is:   |       |                                   |  |               |  |  |
|   |  | []    | small entity                      |  | \$270.00      |  |  |
|   |  | [X]   | other than a small                | entity   | \$540.00      |  |  |
|   |  | ,     |                                   | Notice of Ap   | ppeal fee due | \$540.00   |  |
| 3.  | EXT  | ENSIO | N OF TERM                         |  |               |  |  |
|   | The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.  |       |                                   |  |               | provisions of 37   |  |
|   | (a) [] Applicant petitions for an extension of time under 37 CFR 1.17 (d) for the total number of months checked below:  |       |                                   |  |               |  |  |
|   | Extension (months) [] one month [] two months [] three months [] four months   |       | s)<br>month<br>months<br>e months | Fee for other 1<br><u>small entity</u><br>\$ 120.00<br>\$ 460.00<br>\$1,050.00<br>\$1,640.00 |               | Fee for small entity \$ 60.00 \$230.00 \$525.00 \$820.00 |  |
|   |  |       |                                   | Fee <u>\$</u>  |               |  |  |
| If an additional extension of time is required please consider this a therefor. |  |       |                                   |  |               |  |  |
|   | [] An extension for months has already been secure and the fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested. |       |                                   |  |               |  |  |
|   | Extension fee due with this request \$   |       |                                   |  |               |  |  |
|   | or   |       |                                   |  |               |  |  |

this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Applicant believes that no extension of term is required. However,

[X]

(b)

| 4.   | TOTAL FEE DUE         |  |   |  |  |  |  |
|------|-----------------------|--|---|--|--|--|--|
|      | The total fee due is: |  |   |  |  |  |  |
|      |                       | Notice of Appeal fee \$540.00  |   |  |  |  |  |
|      |                       | Extension fee (if any) \$  |   |  |  |  |  |
|      |                       |  | TOTAL FEE DUE \$540.00  |  |  |  |  |
| 5.   | FEE PAYMENT           |  |   |  |  |  |  |
|      | [X]                   | Credit card payment in the amount of \$540.00 to cover the required filing fee of this document is being made via EFS-Web. |   |  |  |  |  |
|      | []                    | Attached is a check in the sum of \$   |   |  |  |  |  |
|      | []                    | Charge Account No the sum of \$ A duplicate of this transmittal is attached.   |   |  |  |  |  |
| 6.   | FEE DEFICIENCY        |  |   |  |  |  |  |
|      | [X]                   | If any additional extension and/or fee is required charge Account No. 18-0988.   |   |  |  |  |  |
|      |                       | AND/OR   |   |  |  |  |  |
|      | [X]                   | If any additional fee for claims is required, charge Account No. 18-0988.  |   |  |  |  |  |
|      |                       |  | /Armand P. Boisselle/ SIGNATURE OF ATTORNEY   |  |  |  |  |
| Reg. | No.:                  | 22,381   | Armand P. Boisselle Type or print name of attorney  |  |  |  |  |
| Tel. | No.: (2 <sup>-</sup>  | 16) 621-1113   | RENNER, OTTO, BOISSELLE & SKLAR, LLP<br>1621 Euclid Avenue<br>Nineteenth Floor<br>Cleveland, Ohio 44115 |  |  |  |  |